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Attorney Docket No: 23439-034-402

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

APPLICANTS: John DiDOMENICO *et al.*

SERIAL NUMBER: 09/704,565

EXAMINER: (Unassigned)

FILING DATE: November 3, 2000

ART UNIT: 2632

CONFIRMATION NO: 5556

FOR: REMOTE EMISSIONS SENSING SYSTEM AND METHOD WITH A COMPOSITE BEAM OF IR AND UV RADIATION THAT IS NOT SPLIT FOR DETECTION

Assistant Commissioner for Patents

Attn: Office of Petitions
Washington, D.C. 20231

Reclin. Refs: 06/06/2003 CKHLQK 0013255000
Doc#: 500311 Name/Number: 09704565
Ft: 1204 \$130.00 CR

PETITION UNDER 37 C.F.R. §1.53(e) AND
PETITION FEE UNDER 37 C.F.R. §1.17(h)

This Petition Under 37 C.F.R. §1.53(e) is in response to the Notice of Incomplete Nonprovisional Application (Notice) dated October 1, 2002. A copy of the Notice is enclosed. Also enclosed is check #1621 in the amount of \$130.00 for the petition fee in accordance with 37 C.F.R. §1.17(h).

The Notice states, *inter alia*, that "the application was deposited without drawings." The Petitioners respectfully submit that two (2) sheets of drawings were submitted with the original application that was filed on November 3, 2000. Pursuant to MPEP§601.01(f), Petitioners are enclosing a copy of the postcard receipt date-stamped November 3, 2000 as evidence that two (2) drawing sheets were provided to the USPTO with the original application filed on November 3, 2000 (see item number 3 of the November 3, 2000 postcard). In view of the foregoing, the USPTO is respectfully requested to award the above-identified application with a November 3, 2000 filing date.

A courtesy copy of Figures 1 and 2 are enclosed herewith in the event that the USPTO is not able to locate the drawings that were originally filed on November 3, 2000.

10/15/2002 BABRAHAI 00000036 09704565

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130.00 DP

Document dated: 06/06/2003 CKHLQK
10/15/2002 BABRAHAI 00000036 09704565
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OFFICE OF PETITIONS

Since Petitioners submit that the above-identified application was complete on November 3, 2000 and therefore entitled to the November 3, 2000 filing date, the USPTO is respectfully requested to refund the \$130.00 petition fee to the undersigned's deposit account No. 50-0311.

In the event that any additional fees are necessary to maintain the pendency of this application or any additional credits are due, the Commissioner is hereby authorized to charge and/or credit the undersigned's deposit account No. 50-0311.

Respectfully submitted,



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for James G. Gatto
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Date: October 10, 2002

RES 78455v1